

**K&L GATES LLP**

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**By Email**

Spokane County Auditor  
Attn: Elections Department  
1033 W. Gardner Avenue  
Spokane, WA 99260  
[elections@spokanecounty.org](mailto:elections@spokanecounty.org)

Pam S. Miller  
Legal Assistant  
[pam.miller@klgates.com](mailto:pam.miller@klgates.com)

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September 16, 2014

Re: Cheney School District No. 360  
Spokane and Whitman Counties, Washington  
Educational Programs and Operation (M&O) Levy

Dear Sir or Madam:

Attached please find a certified copy of Resolution No. 3-14-15 of Cheney School District No. 360 adopted by the District on September 10, 2014, providing for the submission to the qualified electors of the District at a special election to be held on February 10, 2015, a proposition of whether excess taxes should be levied to pay part of the cost of education programs and maintenance and operations support of the District. The Notice of Special Election and Official Ballot were emailed to you on September 11, 2014.

Please let me know if you should have any questions or need anything else.

Very truly,

K&L GATES LLP



Pam S. Miller  
Legal Assistant to Laura D. McAloon & Brian M. Werst

psm

Attachment:

cc: Cheney School District No. 360 (via email)

SP-#13412-

CHENEY SCHOOL DISTRICT NO. 360  
SPOKANE AND WHITMAN COUNTIES, WASHINGTON

EDUCATIONAL PROGRAMS AND OPERATION (M&O) LEVY

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RESOLUTION NO. 3-14-15

A RESOLUTION of the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 10, 2015, of the proposition of whether excess taxes should be levied of \$9,300,000 in 2015 for collection in 2016, \$9,500,000 in 2016 for collection in 2017, and \$9,700,000 in 2017 for collection in 2018, said excess taxes to pay part of the cost of education programs and maintenance and operations support of the District.

ADOPTED SEPTEMBER 10, 2014

PREPARED BY:

K&L GATES LLP  
Spokane, Washington

RESOLUTION NO. 3-14-15

- A RESOLUTION of the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 10, 2015, of the proposition of whether excess taxes should be levied of \$9,300,000 in 2015 for collection in 2016, \$9,500,000 in 2016 for collection in 2017, and \$9,700,000 in 2017 for collection in 2018, said excess taxes to pay part of the cost of education programs and maintenance and operations support of the District.

WHEREAS, Cheney School District No. 360, Spokane and Whitman Counties, Washington, (the "District"), for the past three years has had in effect a maintenance and operations levy in order to enable the District to pay for its educational programs and services, including, but not limited to, teaching, school supplies, nutrition, technology, athletics, buildings and transportation; and

WHEREAS, the current maintenance and operations levies expire this year; and

WHEREAS, funds available to the District will be insufficient to enable the District to pay for necessary maintenance and operations and to properly meet the educational needs of the students attending District schools; and

WHEREAS, in order to properly provide for such maintenance and operations and such educational needs, the Board of Directors of the District deems it necessary to levy the following taxes upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A tax of approximately \$3.17 per thousand dollars of assessed valuation to provide \$9,300,000, said levy to be made in 2015 for collection in 2016;
- B. A tax of approximately \$3.14 per thousand dollars of assessed valuation to provide \$9,500,000, said levy to be made in 2016 for collection in 2017;
- C. A tax of approximately \$3.11 per thousand dollars of assessed valuation to provide \$9,700,00, said levy to be made in 2017 for collection in 2018; and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not such excess taxes may be levied must be submitted to the qualified electors of the District for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CHENEY SCHOOL DISTRICT NO. 360, SPOKANE AND WHITMAN COUNTIES, WASHINGTON, as follows:

Section 1. The following taxes for the District's General Fund should be levied upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. \$9,300,000, said levy to be made in 2015 for collection in 2016;
- B. \$9,500,000, said levy to be made in 2016 for collection in 2017; and
- C. \$9,700,000, said levy to be made in 2017 for collection in 2018;

The estimated levy rate depends upon the final dollar amount of assessed value of the property within the District. At this time, based upon information provided by the County Assessor's office, the estimated levy rate for the 2016 levy is \$3.17 per thousand dollars of assessed valuation, the estimated levy rate for the 2017 levy is \$3.14 per thousand dollars of assessed valuation, and the estimated levy rate for the 2018 levy is \$3.11 per thousand dollars of assessed valuation. The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District at the time of the levy.

Section 2. It is hereby found and declared that the best interests of the District require the submission to the qualified electors of the District of the proposition of whether or not the District shall levy such excess tax for their ratification or rejection at a special election to be held therein on February 10, 2015.

The Spokane County Auditor and Whitman County Auditor, as *ex officio* supervisor of elections in Spokane and Whitman Counties, Washington, are hereby requested to call and conduct said special election to be held by all mail-in ballot within the District on said date and to submit to the qualified electors of the District the proposition substantially in the form hereinafter set forth.

The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition substantially in the following form:

PROPOSITION NO. 1

CHENEY SCHOOL DISTRICT

REPLACEMENT OF EDUCATIONAL PROGRAMS AND OPERATION (M&O) LEVY

The Board of Directors of Cheney School District No. 360 approved Resolution No. 3-14-15, authorizing a replacement levy for education. This replacement levy funds district education programs and school operations, and authorizes the following excess levies to replace an expiring levy on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2016	\$3.17	\$ 9,300,000
2017	\$3.14	\$ 9,500,000
2018	\$3.11	\$ 9,700,000

Should this proposition be approved?

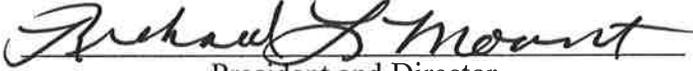
YES .....

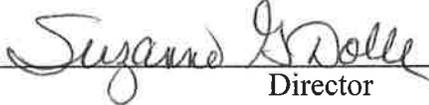
NO .....

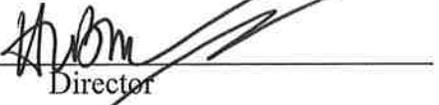
The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to the Spokane County Auditor and Whitman County Auditor.

ADOPTED by the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, at a regular meeting thereof, held on the 10th day of September, 2014.

CHENEY SCHOOL DISTRICT NO. 360,  
SPOKANE AND WHITMAN COUNTIES,  
WASHINGTON

  
\_\_\_\_\_  
President and Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, (the "District") and keeper of the records of the Board of Directors (the "Board"), DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 3-14-15 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 10th day of September, 2014.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper passage of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of September, 2014.

  
\_\_\_\_\_  
Secretary, Board of Directors

OFFICIAL BALLOT  
CHENEY SCHOOL DISTRICT NO. 360  
SPOKANE AND WHITMAN COUNTIES, WASHINGTON  
February 10, 2015

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INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word "YES"; to vote against the following proposition, place a cross (X) in the square opposite the word "NO."

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PROPOSITION NO. 1

CHENEY SCHOOL DISTRICT

REPLACEMENT OF EDUCATIONAL PROGRAMS AND OPERATION (M&O) LEVY

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2016	\$3.17	\$ 9,300,000
2017	\$3.14	\$ 9,500,000
2018	\$3.11	\$ 9,700,000

Should this proposition be approved?

YES .....

NO .....

NOTICE  
CHENEY SCHOOL DISTRICT NO. 360  
SPOKANE AND WHITMAN COUNTIES, WASHINGTON  
February 10, 2015

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NOTICE IS HEREBY GIVEN that on February 10, 2015, a special election will be held in the above-named school district for the submission to the qualified electors of said school district of the following proposition:

PROPOSITION NO. 1

CHENEY SCHOOL DISTRICT

REPLACEMENT OF EDUCATIONAL PROGRAMS AND OPERATION (M&O) LEVY

The Board of Directors of Cheney School District No. 360 approved Resolution No. 3-14-15, authorizing a replacement levy for education. This replacement levy funds district education programs and school operations, and authorizes the following excess levies to replace an expiring levy on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2016	\$3.17	\$ 9,300,000
2017	\$3.14	\$ 9,500,000
2018	\$3.11	\$ 9,700,000

Should this proposition be approved?

YES.....

NO.....

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Spokane County Auditor

NOTICE  
CHENEY SCHOOL DISTRICT NO. 360  
SPOKANE AND WHITMAN COUNTIES, WASHINGTON  
February 10, 2015

---

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PROPOSITION NO. 1

CHENEY SCHOOL DISTRICT

REPLACEMENT OF EDUCATIONAL PROGRAMS AND OPERATION (M&O) LEVY

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Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2016	\$3.17	\$ 9,300,000
2017	\$3.14	\$ 9,500,000
2018	\$3.11	\$ 9,700,000

Should this proposition be approved?

YES .....

NO .....

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Whitman County Auditor